

Reprogramming Actions

Reprogramming actions are changes in the application of financial resources. Reprogramming actions cannot be submitted to the Congress unless the added requirement is for a higher priority item than the item that was originally appropriated (based on unforeseen military requirements) or if Congress has denied the item. There are 4 vehicles that can be used to approve reprogramming actions:

1. Letter Transfers. Letter transfers are processed for those accounts for which congressional language specifies where the money goes (as opposed to DD 1415 actions, which are processed for those transfers for which the Department decides where the money goes, such as drug transfers).

2. DD 1415-1, Prior Approval (PA). Prior approval of the congressional committees is required on an action involving the application of funds, regardless of amount, which involve:

- Procurement quantity increase of a major end item (unless specific congressional language allows additional quantities).
- Affects a congressional special interest.
- Involves the use of general transfer authority.
- Exceeds thresholds.
 - a. Military Personnel: Increase of \$10 million or more in a budget activity.
 - b. Operation and Maintenance: Increase of \$15 million or more in a budget activity.
 - c. Procurement: For any program year:
 - (1) Increase of \$10 million or more in a procurement line item;
 - (2) Decrease of \$10 million or more; or 20 percent of the appropriated amount,whichever is greater;
 - d. RDT&E: For any program year.
 - (1) Increase of \$4 million or more in an existing program element ;
 - (2) Decrease of \$4 million or more; or 20 percent of the appropriated amount,whichever is greater.
- New Starts.
 - a. New procurement program, procurement subprogram, RDT&E program, RDT&E project, or RDT&E subproject estimated to cost \$10 million or more (both RDT&E and procurement) within the first 3 years.
 - b. Any new modification whose total costs are more than \$2 million. Exceptions are safety modifications costing less than \$10 million.
- New Line Items (for any program year).
 - a. Establishes new procurement line item of \$2 million or more.
 - b. Establishes new RDT&E program element, project, or subproject of \$2 million or more.
- Terminations.
 - a. Eliminates a procurement program or subprogram of \$10 million or more.
 - b. Eliminates an RDT&E program element, project, or subproject that is equal to the total amount of the program element.
 - c. Eliminates an RDT&E project or subproject within a program element of \$10 million or more.

3. DD 1415-3, Internal. Reprogramming actions internal to DoD are audit-trail type actions processed within DoD and approved by the Comptroller and are not otherwise constrained by law or other provisions. They:

- Do not change the purpose or congressional intent.
- May use general transfer authority.
- May reprogram funds from Transfer accounts (such as, Foreign Currency Fluctuations, Environmental Restoration, and Counter-Drug Interdiction).
- May increase procurement quantities when specific congressional language allows additional quantities within the appropriated funds.

4. Notification letter. Advance notification letters are transmitted directly by the DoD Component, with prior OUSD(C) coordination, to the congressional committees for notification of:

- Below threshold reprogramming for new programs or line items not otherwise requiring prior approval or notification action.
- A new program, subprogram, project, or subproject whose total costs (both procurement and RDT&E) is less than \$2 million.
- Safety modifications whose total costs (both procurement and RDT&E) are less than \$10 million for the entire effort.
- Terminations falling within the below threshold reprogramming amounts for procurement programs or subprograms costing less than \$10 million as long as the procurement line item is not eliminated.
- Terminations under \$10 million for any RDT&E program, project, or subproject as long as the program element is not eliminated.

Transfer Authority. Specific congressional statutory authority is required to transfer funds between appropriations and between legal subdivisions within an appropriation. DHP, IG, and SCN are examples of appropriations with legal subdivisions. The section describing the transfer in a public law is the transfer authority. General transfer authority is most commonly used. Section 8005 of Public Law 106-79, the DoD Appropriations Act, 2000; and section 1001 of Public Law, 106-65, the National Defense Authorization Act for FY 2000 apply for FY 2000 funds. Section 8005 of Public Law 106-262, the DoD Appropriations Act, 1999, and section 1001 of Public Law 105-261, the Strom Thurmond National Defense Authorization Act for FY 1999 apply for FY 1999 funds. FY 2000 general transfer authority is good for transfers between FY 2000 appropriations. FY 1999 general transfer authority is used for transfers between FY 1999 appropriations, and so on. For FY 2000, we can transfer up to \$1.6 billion using FY 2000 general transfer authority. Transfer authority is available only for the fiscal years that the appropriation is available for new obligations (i.e., there can be no transfers between appropriations in prior years because there is no authority to do so). In addition to general transfer authority, the most common types of transfer authority available are: Environmental Restoration, Contingency Operations, Foreign Currency Fluctuations, Drug Interdiction, Civil Military, Intelligence (sec 104d/104f, for example), and special Title 10 or Title 50 authorities. When using these authorities, general transfer authority is not used or affected.

Summary of Reprogramming Requirements

DD 1415-1 Prior Approval Reprogramming Actions

1. Procurement quantity increase of a major end item (unless specific congressional language allows additional quantities).
2. Affects a congressional special interest item.
3. Involves the use of general transfer authority.
4. Exceeds thresholds.
 - a. Military Personnel: Increase of \$10 million or more in a budget activity.
 - b. Operation and Maintenance: Increase of \$15 million or more in a budget activity.
 - c. Procurement: For any program year:
 - (1) Increase of \$10 million or more in a procurement line item;
 - (2) Decrease of \$10 million or more; or 20 percent of the appropriated amount, whichever is greater;
 - d. RDT&E: For any program year.
 - (1) Increase of \$4 million or more in an existing program element ;
 - (2) Decrease of \$4 million or more; or 20 percent of the appropriated amount, whichever is greater.
5. New Starts.
 - a. New procurement program, procurement subprogram, RDT&E program, RDT&E project, or RDT&E subproject estimated to cost \$10 million or more within the first 3 years.
 - b. Any new modification whose total costs are more than \$2 million. Exceptions are safety modifications costing less than \$10 million.
6. New Line Items (for any program year).
 - a. Establishes new procurement line item of \$2 million or more.
 - b. Establishes new RDT&E program element, project, or subproject of \$2 million or more.
7. Terminations.
 - a. Eliminates a procurement program or subprogram of \$10 million or more.
 - b. Eliminates an RDT&E program element, project, or subproject that is equal to the total amount of the program element.
 - c. Eliminates an RDT&E project or subproject within a program element of \$10 million or more.

DD Form 1415-3 Internal Reprogramming Actions

1. Realigns funds to a different line item or appropriation for proper execution of the same requirement (no change in purpose).
2. Transfer of funds from the transfer accounts - Foreign Currency, Environmental Restoration, Drug Interdiction, Overseas Contingency Operations Transfer Fund, etc.
3. Approves increases to procurement quantities for major end items, not otherwise requiring prior approval of the congressional committees.

Notification Letters (in advance of initiating)

1. New programs or line items not otherwise requiring prior approval action.
2. New programs, including modifications, costing less than \$2 million for the entire effort.
3. Safety modifications costing less than \$10 million for the entire effort can be initiated in advance of the congressional notification.
4. Program termination of programs falling within the below threshold reprogramming amounts (procurement programs or subprograms costing less than \$10 million; RDT&E programs, projects, or subprojects costing less than \$4 million) as long as the procurement line item or program element is not eliminated.